

CITATION NO. ORD-00143

- OFFENSE NO. 9213 -

ORIGINAL FILE NO. 14-11306 (Use of Force Report)
ORIGINAL FILE NO. 14-11306 (Administrative BPD Case File)
FOLLOW-UP FILE (10/04/14) NO. 14-11329
OFFENSE NO. 9213

INCIDENT REPORT NO.: 1411306
CITATION NO. ORD-000143
VILLAGE ORDINANCE: Disorderly Conduct
VILLAGE CODE SECTION: 9.16.010

<https://archive.org/details/10.03.14RAEILCITATIONS000141000142000143>



NOTICE OF ORDINANCE VIOLATION

Village of Berkeley, Complainant
5819 Electric Avenue, Berkeley, Illinois 60163

CITATION# ORD- 000143

Violator's Name: GINA STONE
Address: 1148 TAFT AVE
BERKELEY IL 60163
Driver's License: 5350-2939-0797
Date of Birth: 07 / 11 / 1990

did on Date 10/3/14 at Hour 5:10 AM/PM ☒ violate the following Village ordinance:

DISORDERLY CONDUCT

Village Code section 9.16.010
at 1148 TAFT AVE Berkeley, IL.

Vehicle Information:

Make: _____ Model: _____ Color: _____

Parking

☐ No Parking 1-6 AM
☐ Fire Lane
☐ Handicapped Space

Other Violations

☐ Zoning
☐ Property Maintenance
☐ Building Code
☐ Residential Code

Defendant served by ☒ personal service, ☐ mail, ☐ placed on vehicle

☒ You are required to appear at an administrative hearing
Hearing Date 11/12/14 Time 2:00 PM at Village Hall, 5819 Electric Avenue, Berkeley, Illinois

☐ must appear with parent
or

☐ You may pay a fine of \$ _____ or 1/2 of that amount if paid within 10 days, or call the Hearing Administrator at 708-234-2616 to request an administrative hearing.

The maximum daily penalty is \$750. A judgment for failure to appear or unpaid fines will increase up to the maximum fine allowed plus costs and late penalties. The undersigned agent of the Village states that there are reasonable grounds to believe the above individual is liable as cited.

<https://archive.org/details/10.03.14RAEILINCIDENTNO.1411306HANDWRITTEN>

MULTIPLE OFFENSES - INCIDENT INFORMATION

INCIDENT: **1411306**

TICKET #: **ORD000143**

CASE STATUS: **03 Cleared by Arrest - Adult**

OFFENSE: **9123**

DISORDERLY CONDUCT (BVO)

REPORT STATUS:

HOW REPORTED:

RECEIVED BY: **052**

PHOTOS?: **N** VCR?: **N**

ARRESTING OFFICER: **119 J. PARKER**

2ND OFFICER:

INCIDENT ADDRESS: **1148 Taft Ave**
BERKELEY 60163

LOCATION DESCRIPTION
291 Residence Yard

BEAT
AREA
CITY/
TOWNSHIP
- 0485

GENERAL LOCATION:



VILLAGE OF BERKELEY, ILLINOIS POLICE DEPARTMENT

5819 Electric Avenue, Berkeley, Illinois 60163
Telephone: (708) 449-8224

PHILLIP J. SMITH
CHIEF OF POLICE
psmith@berkeley.il.us



ROBERT E. LEE, JR
VILLAGE PRESIDENT
rlee@berkeley.il.us

Use of Force Supervisor's After Action Report

General Information

| | | | |
|--|------------------------|---|--|
| 1. Date 10/3/14 | 2. Time 1710 | 3. Incident Type VIOLENT DOG | 4. Report Number 14-11306 |
| 5. Address/Location of Incident 1148 TAFT AVE | | 6. Officer Involved Ofc PARKER #112 | 7. Uniformed Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 8. Lighting Conditions (mark all that apply) <input checked="" type="checkbox"/> Daylight <input type="checkbox"/> Darkness <input type="checkbox"/> Poor Artificial <input type="checkbox"/> Good Artificial <input type="checkbox"/> Other (describe) | | | |
| 9. Weather Conditions <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Fog <input type="checkbox"/> Snow <input type="checkbox"/> Other (describe) | | | 10. Video <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 11. Type of Video <input type="checkbox"/> TASER Cam <input type="checkbox"/> In-Squad <input type="checkbox"/> Other (describe) N/A (LIGHTS NEVER ACTIVATED) | | | |

Injuries

| | |
|--|--|
| 12. Officer(s) Injured <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Describe All Injuries N/A |
| 14. Medical Treatment <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Type of Treatment None N/A |
| 16. Suspect Injured <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes fill in #17 | 17. Describe All Injuries GUNSHOT WOUND TO MOUTH AREA |
| 18. Medical Treatment <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes fill in #19 | 19. Type of Treatment TRANSPORTED TO DUPAGE ANIMAL HOSPITAL (ANTI-DOG BITES) |

DOG

Firearms

| | |
|---|--|
| 20. Suspect Armed With <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle/Assault <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife <input type="checkbox"/> Other (describe) N/A (DOG) | |
| 21. Officer Weapon <input type="checkbox"/> Glock 22 <input checked="" type="checkbox"/> Glock 23 <input type="checkbox"/> Other (Specify) 40 CALIBER | 22. Number of Shots 1 |
| 23. Officer Information <input checked="" type="checkbox"/> Right Handed <input type="checkbox"/> Left handed | 24. Additional Information N/A |

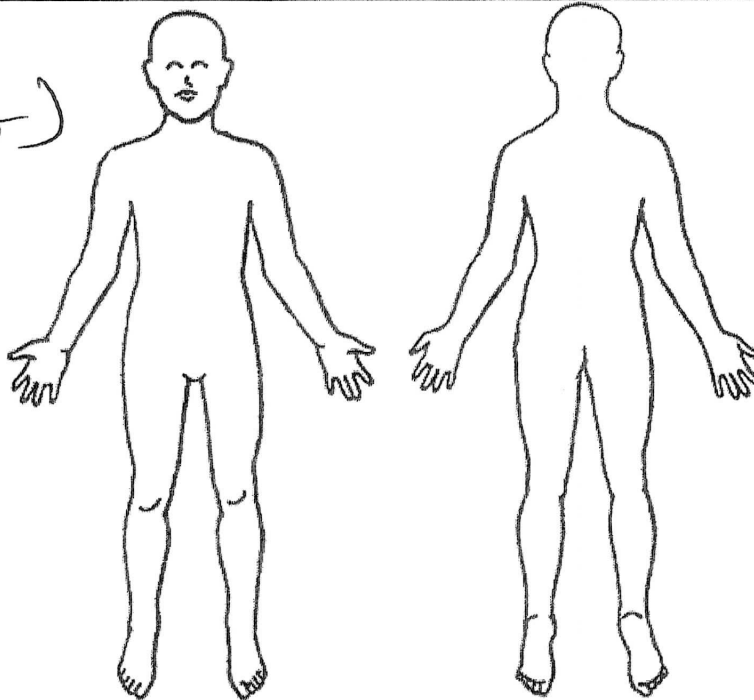
Non-Deadly Weapons

| | |
|---|---|
| 22. Type Of Force <input type="checkbox"/> Baton <input type="checkbox"/> OC <input type="checkbox"/> TASER (fill out #23,24,25,26) <input type="checkbox"/> Other (specify) <i>N/A</i> | |
| 23. TASER <input type="checkbox"/> Drive Stun <input type="checkbox"/> Probe Deployment <input type="checkbox"/> Probe Deployment and Drive stun <input type="checkbox"/> Laser/low light Display <input type="checkbox"/> Arc Display <input type="checkbox"/> Laser/low light and Arc Display | 24. Taser # <i>N/A</i> Cartridge Serial # (if probes deployed) Number of Cycles |
| 25. TASER Cam/Data Downloaded <input type="checkbox"/> Yes <input type="checkbox"/> No <i>N/A</i> | 26. Downloaded to <i>N/A</i> |
| 27. Describe location on suspect force applied (also see diagram box 37) <i>(1) GUNSHOT TO DOG'S MOUTH</i> | |

| | | |
|---|----------------------------|--|
| 28. Photos Taken Suspect <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Officer <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 29. Taken By <i>N/A</i> | 30. Incident Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 31. Narrative (also include witness information) <i>WITNESS / COMPLAINANT: KENNETH ELAZIER, 620-251-1751</i> <i>KENNETH ELAZIER CONTACTED THE DEPARTMENT TO ADVISE</i> <i>OF (2) CHILDREN HAVING A HARD TIME WITH A DOG (PIT BULL).</i> <i>OFFICER PARKER WAS FIRST ON SCENE. THE DOG LUNGED</i> <i>AT OFFICER PARKER IN AN AGGRESSIVE MANNER, CAUSING</i> <i>OFFICER PARKER TO DISCHARGE (1) ROUND FROM HIS FIREARM, STRIKING THE</i> <i>DOG.</i> | | |
| 32. Suspect Name <i>(DOG) PITBULL</i> | 33. DOB <i>—</i> | 34. Home Phone <i>—</i> |
| 35. Alternate Phone <i>—</i> | | |
| 36. Address <i>1148 TAFT, OWNER OF DOG (GENA STONE)</i> | | |

37. Mark areas of injury on offender, include TASER Probe hits and drive stun locations.

N/A
(DOB)



38. Supervisor Signature & Date

 10/4/14

Below to be filled out by reviewing Supervisor(s) only

Policy Violation

☐ YES

☒ NO

(Yes requires comment and recommendation below)

Comments & Recommendations

Review Supervisor(s) Signature and Date



PHILLIP J. SMITH
CHIEF OF POLICE
psmith@berkeley.il.us

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ROBERT E. LEE, JR
VILLAGE PRESIDENT
rlee@berkeley.il.us

10/4/14

To: Chief Phillip Smith

From: Sergeant Justin Patti

Re: Administrative report (BPD case # 14-11306)

Chief Smith-

I have conducted an investigation regarding Berkeley PD case # 14-11306. The incident involved Berkeley Officer's responding to a call of two children struggling with a Pit Bull at 1148 Taft Ave. The call was made by a Kenneth Elazier of . Officer Parker was first on scene and dealt with the children and the dog. Officer Parker advised me that the children couldn't handle the dog and the dog was becoming aggressive. The dog became more aggressive upon Officer Parker's arrival. Officer Parker explained the dog continued to come towards him in an aggressive manner with an approximate distance of two feet between himself and the dog, when Officer Parker discharged (1) round from his service weapon. Officer Parker's weapon is described as a Glock 23, 40 Caliber. It was later determined the dog had been struck in the mouth area. Officer Parker and myself later searched the area for the casing, with negative results. The dog continued to run through the yards of the 1100 blocks of Taft and Herbert. It took Officer Parker, Officer Larem, Officer Rodriquez, and myself to finally corner the dog between a fence and a shed in the backyard of 1114 Herbert. At that point, the dog was secured with two dog poles and the owner was present to assist, if needed. The owner was identified as Gina Stone of 1148 Taft. It should be noted, we had to use a citizens Dewalt drill to remove the fence panels to access the dog. The dog had two dog poles on its neck at that point due to its aggression and unpredictable state. The determination was then made for Officer Larem to keep the dog poles secured on the dog and transport the dog in the rear of his vehicle to the Dupage Animal Hospital. The owner requested and agreed to the transport of her dog to the animal hospital and Mrs. Stone followed Officer Larem to the animal hospital.

On 04 Oct 14 at 0846 Hrs, I canvassed the surrounding homes of 1148 Taft for any witnesses to the incident.

, I spoke to Rhonda Watson, that advised she was in the kitchen and heard a "pop". Rhonda heard a whimpering which she thought was on a TV in the home. Rhonda stated she then looked outside and saw an officer with a gun. No further statement was provided.



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I spoke to a Wanda Williams, , that advised she was on the side of her home on her driveway when she saw an officer with his weapon drawn and heard one shot, "maybe a couple shots". Wanda advised she saw the dog run away and the kids were being yelled at to get inside the house. No further statement was provided.

I left a message for the homeowner to call me. Contact information was left.

I spoke with a Ruben Rivera, that advised he was in his home and he heard one gunshot. Rivera stated he did not hear or see anything else until he came outside and saw the officers trying to catch the dog. No further statement was provided.

It should be noted that the complainant, Kenneth Elazier, provided Officer Parker and I with his own hand written statement of what occurred on 03 Oct 14. The statement was saved and attached to the case file.

0929 Hrs. I went to the Dupage Animal Hospital at 377 E. North Ave, Villa Park, IL and spoke with a worker named Kimberly. Kimberly advised she could provide me with some of the details but that I should follow up with Brian Jeffrey who is the office manager. Kimberly advised she had a message into Brian to call me. Kimberly advised the dog was given antibiotics and that the owner is to administer the antibiotics to the dog. The amount of the services for the dog came out to \$262.25. I explained I would talk to Brian about the billing. Shortly thereafter, Brian called me and discussed the matter with me. Brian stated that Gina Stone verbally stated she would pay the bill. Brian also stated an invoice was emailed to Mrs. Stone. Brian stated that Mrs. Stone also refused some additional medications for the dog and the follow up appointment had been cancelled. Brian stated that he would continue to seek payment through Mrs. Stone.

I have completed a use of force incident report, along with Officer Parker's initial report and attached all pertinent documents with the original case file for your review.

My findings with this matter, is that Officer Parker utilized a level of force appropriate to control the situation and should not be found of any wrongdoing. Officer Parker should be commended for his actions and demonstrated a professional demeanor given the stress of the situation. Should you have any questions, please contact me.

Respectfully,

Sergeant Justin Patti

BERKELEY P.D.
OFFICER NARRATIVE
REPORT:1411306

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BERKELEY POLICE
SUPPLEMENTARY REPORT

ORIGINAL FILE NO. 14-11306
FOLLOW UP FILE NO. 14-11329

OFFENSE: DISORDERLY CONDUCT/VICIOUS DOG AT LARGE
RECLASSIFIED TO: N/A
VICTIM: ELAZIER, KENNETH B
ADDRESS & TELEPHONE:
LOCATION OF INCIDENT: 1148 TAFT AVE, BERKELEY, IL
DATE & TIME OF OFFENSE: 03 OCTOBER 2014/1710 HOURS

REPORT: FINAL
CASE STATUS: CLEARED

ON 04 OCTOBER 2014 AT 0826 HOURS, I RETURNED TO 1148 TAFT AVE TO SPEAK WITH GINA STONE AND ISSUE CITATIONS. SGT. PATTI RESPONDED AS WELL. STONE STATED THAT SHE HAD THE DOG BACK AND THAT THE VET HAD ONLY STOPPED THE BLEEDING AND CLEANED UP THE WOUND AND GIVEN SOME ANTIBIOTICS AND PAIN MEDICINE. SHE STATED THAT SHE WAS INSTRUCTED TO BRING THE DOG BACK TODAY TO SEE ABOUT POSSIBLY REMOVING THE BULLET AS THEY BELIEVED IT WAS POSSIBLY LODGED SOMEWHERE IN THE DOGS NECK. SHE STATED THAT THE ANIMAL HOSPITAL GAVE HER NO PAPERWORK AND HAD NOT MADE HER PAY, BUT HAD SAID THEY WOULD BE CONTACTING THE POLICE DEPARTMENT AND HER THE FOLLOWING DAY.

I ASKED STONE WHERE SHE WAS WHEN THE INCIDENT OCCURRED AND SHE STATED THE FOLLOWING. SHE WAS UPSTAIRS IN THE RESIDENCE AND THE KIDS HAD ASKED IF THEY COULD GO OUTSIDE. SHE TOLD THEM THAT WAS OKAY, BUT THEY WERE TO STAY ON THE FRONT PORCH AND PLAY WITH THEIR CHALK AND WOULD BE BROUGHT BACK INSIDE IF THEY LEFT THE PORCH. SHE STATED SHE HAD THE SHOWER RUNNING AND WAS CLEANING BUT WAS CHECKING ON THE KIDS OFTEN. SHE STATED SHE DID NOT KNOW THAT THE DOG HAD GOTTEN OUT OF THE HOUSE BUT BELIEVED THAT IT PROBABLY RAN OUT WHILE THE KIDS WERE GOING IN AND OUT THE FRONT DOOR. SHE STATED THAT SHE HEARD A NOISE, BUT DID NOT RECOGNIZE IT AS A GUNSHOT. SHE ONLY REALIZED SOMETHING HAD HAPPENED WHEN SHE HEARD THE KIDS SCREAMING AT THE FRONT DOOR.

STONE WAS ISSUED THE THREE TICKETS AND ADVISED OF THE DATE OF THE ADJUDICATION HEARING.

DATE OF REPORT: 04 OCTOBER 2014
REPORTING OFFICER: J. PARKER, #112
APPROVING SUPERVISOR: SGT. J. PATTI, #5